

OFFICIAL GAZETTE



GOVERNMENT OF GOA

NOTE: — There is one Extraordinary issue to the Official Gazette, Series I No. 23 dated 2-9-93 as follows:

Extraordinary dated 6-9-93 from pages 453 to 458 regarding Notification from Law (Establishment) Department (Office of the Chief Electoral Officer).

GOVERNMENT OF GOA

Department of Personnel

Notification

1/3/90-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, and in supersession of the existing recruitment rules for relevant posts, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Group 'C', Non-Ministerial, Non-Gazetted posts in the Directorate of Health Services, Government of Goa, namely:—

1. Short title, application and commencement:—

(1) These rules may be called the Government of Goa, Directorate of Health Services, Group 'C', Non-Ministerial, Non-Gazetted posts, Recruitment Rules, 1993.

(2) They shall apply to the posts specified in column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. Number, classification and scales of pay:—

The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

3. Method of recruitment, age limit and other qualifications:— The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in Columns 5 to 13 of the said Schedule.

4. Disqualification:— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if, satisfied that such marriage is permissible under the personal Law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. Power to relax:— Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

6. Saving:— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor of Goa.

S. S. Keshkamat, Under Secretary (Personnel).

Panaji, 20th August, 1993.

SCHEDULE

Name/ Designation of post	Number of posts	Classi- fication	Scale of Pay	Whether Selection post or non- Selection post	Age limit for direct recruits	Whether the benefit of added years of service is admissi- ble under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & edu- cational qualifica- tions pres- cribed for the direct recruits will apply in the case of promotees	Period of pro- bation if any	Method of recruitment whe- ther by direct recruitment or by promotion or by deputation/trans- fer/contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputa- tion/transfer, grades from which promo- tion/deputation/ transfer is to be made	If a D.P.C. exists, what is its com- position	Circums- tances in which Goa Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Lady Health Visitor	29 (1993) subject to va- riation depend- ant on work load.	Group 'C' Non- Ministe- rial, Non- Gazet- ted.	Rs. 1200 30-1560 EB-40- 2040	Selec- tion	Not ex- ceeding 35 years (Relaxa- ble for Govern- ment ser- vants in accord- ance with the instruc- tions or orders issued by the Go- vern- ment.)	No.	<i>Essential:</i> (1) S.S.C.E. or equi- valent. (2) Should be a quali- fied L.H.V. from any Institution re- cognised by the Indian Nursing Council. (3) Multipurpose He- alth Worker course with experience for more than 5 years possessing promotional Train- ing Course of Health Workers (F) from any Go- vernment Institu- tion. <i>Desirable:</i> Knowledge of Konkani and/or Marathi.	Age: No. Educational Qualifica- tions: Yes	Two years	By promotion failing which by direct re- cruitment.	<i>Promotion:</i> Multipurpose Health Worker (Female) with 5 years regular service in the grade and possessing quali- fications as pres- cribed in column 7.	Group 'C' D.P.C.	N. A.
Junior Health Visitor (T.B. Pro- gramme)	11 (1993) subject to va- riation depend- ant on work- load.	Group 'C' Non-Mi- nisterial, Non- Gazetted.	Rs. 1200- 30-1560- EB-40- 2040	Selection	Not exceed- ing 35 years (Relaxable for Govern- ment ser- vants in accordance with the instructions or orders issued by the Govern- ment).	N. A.	<i>Essential:</i> (1) Certificate in Mul- tipurpose Health Workers course/ Auxiliary Nurse Midwife course certificate. (2) Registration with State Nursing Council. (3) Promotional train- ing course of Health Visitor from any Govern- ment recognised Institution. <i>Desirable:</i> (1) Knowledge of Kon- kani and/or Ma-	Age: No. Educational qualifica- tions: yes	Two years	By promotion fail- ing which direct recruitment.	Multipurpose Health Workers (Female) having requisite qua- lification as indicated in column 7 of the schedule.	Group 'C' D.P.C.	N.A.

Senior Health Visitor (T. B. Control Programme)	1 (1993) subject to variation de-pendant on work load	Group 'C' Non-Ministerial -EB-40-2040 Non-Gazetted.	Rs. 1320-30-1560	Selection	Not exceeding 35 years (Relaxable for Government servants in accordance with the instructions or orders issued by Government.)	N. A.	<i>Essential:</i> (1) Certificate in Multipurpose Health Workers course/ /Auxiliary Nurse Midwife course certificate (2) Registration with State Nursing Council. (3) Promotional training course of Health Visitor from any Government recognised Institution. <i>Desirable:</i> (1) Knowledge of Konkani and/or Marathi.	N. A.	Two years	By promotion failing which by direct recruitment.	Junior Health Visitor (T. B. Control Programme) with 5 years regular service in the grade.	Group 'C' D.P.C.	N. A.
Multipurpose Health Worker (Male)/ /Multipurpose Health Worker (Female/ Midwife)	406 (1993) subject to variation de-pendant on work-load.	Group 'C' Non-Ministerial, Non-Gazetted.	Rs. 950-20-1150-EB-25-1500	N. A.	Not exceeding 35 years (Relaxable for Government servants in accordance with the instructions or orders issued by the Government)	No	<i>Essential:</i> (1) S. S. C. E. with one and half years training (Course) in Multipurpose Health Workers Course/2 years of Auxiliary Nurse Midwife training course from any Government institution. (2) Registration with State Nursing Council. <i>Desirable:</i> Knowledge of Konkani and/or Marathi.	N. A.	Two years	By direct recruitment	N. A.	Group 'C' D.P.C.	N. A.
Generator Operator	1 (1993) subject to variation de-pendant on work load.	Group 'C' Non-Ministerial, Non-Gazetted	Rs. 1200-30-1560-EB-40-2040	N. A.	Not exceeding 35 years. (Relaxable for Government servants in accordance with the instructions or orders issued by the Government).	No.	<i>Essential:</i> (1) I. T. I. Certificate from recognised Institution in the trade of Diesel mechanic/ /Electrician. (2) Three years experience in the relevant trade i. e. Operation of the diesel generator. <i>Desirable:</i> Knowledge of Konkani and/or Marathi.	N. A.	Two years	Direct recruitment	N. A.	Group 'C' D.P.C. (for considering confirmation)	N. A.

Notification

1/2/83-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, and in supersession of the existing recruitment rules for the relevant posts, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Goa General Service, Group 'C', Non-Ministerial, Non-Gazetted posts, in the State Directorate of Craftsmen Training, Government of Goa, namely:—

1. *Short title, application and commencement:*—

(1) These rules may be called the Government of Goa, State Directorate of Craftsmen Training, Group 'C', Non-Ministerial, Non-Gazetted posts, Recruitment Rules, 1993.

(2) They shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. *Number, classification and scales of pay.*—The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in Columns 2 to 4 of the said Schedule:

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*—The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in Columns 5 to 13 of the said Schedule.

4. *Disqualification.*—No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if, satisfied that such marriage is permissible under the personal Law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*—Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Goa Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving:*—Nothing in these rules shall affect the reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor of Goa.

S. S. Keshkamat, Under Secretary (Personnel).
Panaji, 18th August, 1993.

SCHEDULE

Name/ Designation of post	Num- ber of posts	Classi- fication	Scale of Pay	Whether Selection post or non- Selection post	Age limit for direct recruits	Whether the benefit of added years of service is admissi- ble under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & edu- cational qualifica- tions pres- cribed for the direct recruits will apply in the case of promotees	Method of recruitment whe- ther by direct recruitment or by promotion or by deputation/trans- fer/contract and if any percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputa- tion/trans- fer from which promo- tion/deputation/ transfer is to be made	If a D.P.C. exists, what is its com- mission position is to be consulted in making recruitment	Circums- tances in which Goa Public Service Commission is to be consulted in making recruitment	
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
Group Instructor (Data Prepara- tion and Computer Software)	3 (1993) sub- ject to varia- tion depend- ent on work- load.	Group 'C' Non- Minis- terial, Non- Gaze- tted.	Rs. 2000- 60- 2300- EB- 75- 3200.	Selec- tion	35 years (Relaxa- ble for Govern- ment ser- vants by 5 years in accor- dance with the instruc-	N. A.	Essential: (1) B. Sc. (PCM) & Di- ploma in Computer Science/Application of duration more than one year. OR Diploma in Engineer- ing & Diploma in	Age: N. A. Educational qualifica- tions:- To the extent indicated in Column No. 11	Two years	75% by promo- tion falling which by di- rect recruit- ment 25% by direct recruitment.	Promotion from eli- gible Instructors possessing the qua- lifications of Diplo- ma Engineering hav- ing A.T.L. OR equi- valent course in computer Engineer- ing for Instruc- tors and experience in teaching 5 years	Group 'C' D.P.C.	N. A.

in the Institute OR
equivalent course in
Computer Engineer-
ing for Instructors
& Experience in
teaching 5 years
in the Institute.

Computer Science/
Application of du-
ration more than
one year.

OR

Master of Computer
Science/Application
Science

OR

B. Sc. (Computer
Science) from recog-
nised Institution/
University.

Experience: Expe-
rience of 3 years in
the field of compu-
ter Application after
obtaining Diploma
in Engineering

OR

B. Sc/(PCM)

OR

MCS/Application

OR

B. Sc. (C. Sc.)

Desirable: Knowled-
ge of Konkani and/
or Marathi.

tions or
orders
issued
by the
Govern-
ment)

Law (Legal and Legislative Affairs) Department

Notification

10-2-92-LA/(Part)

The Indian Medical Council (Amendment) Act, 1993 (Central Act 31 of 1993) which has been passed by Parliament and assented to by the President of India on 2-4-1993 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 3-4-1993, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 20th July, 1993.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 3rd April, 1993/

Chaitra 13, 1915 (Saka)

The following Act of Parliament received the assent of the President on the 2nd April, 1993, and is hereby published for general information:—

THE INDIAN MEDICAL COUNCIL (AMENDMENT) ACT, 1993

No. 31 of 1993

[2nd April, 1993.]

An Act further to amend the Indian Medical Council Act, 1956.

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Indian Medical Council (Amendment) Act, 1993.

(2) It shall be deemed to have come into force on the 27th day of August, 1992.

2. *Insertion of new sections 10A, 10B and 10C.*—After section 10 of the Indian Medical Council Act, 1956 (hereinafter 102 of 1956 referred to as the principal Act), the following sections shall be inserted, namely:—

'10A. *Permission for establishment of new Medical College, new course of study, etc.*—(1) Notwithstanding anything contained in this Act or any other law for the time being in force,—

(a) no person shall establish a medical college; or

(b) no medical college shall—

(i) open a new or higher course of study or training (including a post-graduate course of study or training) which would enable a student of such course or training to qualify himself for the award of any recognised medical qualification; or

(ii) increase its admission capacity in any course of study or training (including a post-graduate course of study or training),

except with the previous permission of the Central Government obtained in accordance with the provisions of this section.

Explanation 1.—For the purposes of this section, "person" includes any University or a trust but does not include the Central Government.

Explanation 2.—For the purposes of this section, "admission capacity", in relation to any course of study or training (including post-graduate course of study or training) in a medical college, means the maximum number of students that may be fixed by the Council from time to time for being admitted to such course or training.

(2) (a) Every person or medical college shall, for the purpose of obtaining permission under sub-section (1), submit to the Central Government a scheme in accordance with the provisions of clause (b) and the Central Government shall refer the scheme to the Council for its recommendations.

(b) The scheme referred to in clause (a) shall be in such form and contain such particulars and be preferred in such manner and be accompanied with such fee as may be prescribed.

(3) On receipt of a scheme by the Council under sub-section (2), the Council may obtain such other particulars as may be considered necessary by it from the person or the medical college concerned, and thereafter, it may, —

(a) if the scheme is defective and does not contain any necessary particulars, give a reasonable opportunity to the person or college concerned for making a written representation and it shall be open to such person or medical college to rectify the defects, if any, specified by the Council;

(b) consider the scheme, having regard to the factors referred to in sub-section (7), and submit the scheme together with its recommendations thereon to the Central Government.

(4) The Central Government may, after considering the scheme and the recommendations of the Council under sub-section (3) and after obtaining, where necessary, such other particulars as may be considered necessary by it from the person or college concerned, and having regard to the factors referred to in sub-section (7), either approve (with such conditions, if any, as it may consider necessary) or disapprove the scheme and any such approval shall be a permission under sub-section (1):

Provided that no scheme shall be disapproved by the Central Government except after giving the person or college concerned a reasonable opportunity of being heard:

Provided further that nothing in this sub-section shall prevent any person or medical college

whose scheme has not been approved by the Central Government to submit a fresh scheme and the provisions of this section shall apply to such scheme, as if such scheme has been submitted for the first time under sub-section (2).

(5) Where, within a period of one year from the date of submission of the scheme to the Central Government under sub-section (2), no order passed by the Central Government has been communicated to the person or college submitting the scheme, such scheme shall be deemed to have been approved by the Central Government in the form in which it had been submitted, and, accordingly, the permission of the Central Government required under sub-section (1) shall also be deemed to have been granted.

(6) In computing the time-limit specified in sub-section (5), the time taken by the person or college concerned submitting the scheme, in furnishing any particulars called for by the Council, or by the Central Government, shall be excluded.

(7) The Council, while making its recommendations under clause (b) of sub-section (3) and the Central Government, while passing an order, either approving or disapproving the scheme under sub-section (4), shall have due regard to the following factors, namely: —

(a) whether the proposed medical college or the existing medical college seeking to open a new or higher course of study or training, would be in a position to offer the minimum standards of medical education as prescribed by the Council under section 19A or, as the case may be, under section 20 in the case of postgraduate medical education;

(b) whether the person seeking to establish a medical college or the existing medical college seeking to open a new or higher course of study or training or to increase its admission capacity has adequate financial resources;

(c) whether necessary facilities in respect of staff, equipment, accommodation, training and other facilities to ensure proper functioning of the medical college or conducting the new course of study or training or accommodating the increased admission capacity have been provided or would be provided within the time-limit specified in the scheme;

(d) whether adequate hospital facilities, having regard to the number of students likely to attend such medical college or course of study or training or as a result of the increased admission capacity, have been provided or would be provided within the time-limit specified in the scheme;

(e) whether any arrangement has been made or programme drawn to impart proper training to students likely to attend such medical college or course of study or training by persons having the recognised medical qualifications;

(f) the requirement of manpower in the field of practice of medicine; and

(g) any other factors as may be prescribed.

(8) Where the Central Government passes an order either approving or disapproving a scheme under this section, a copy of the order shall be communicated to the person or college concerned.

10B. Non-re-cognition of medical qualifications in certain cases. — (1) Where any medical college is established except with the previous permission of the Central Government in accordance with the provisions of section 10A, no medical qualification granted to any student of such medical college shall be a recognised medical qualification for the purposes of this Act.

(2) Where any medical college open a new or higher course of study or training (including a post-graduate course of study or training) except with the previous permission of the Central Government in accordance with the provisions of section 10A, no medical qualification granted to any student of such medical college on the basis of such study or training shall be a recognised medical qualification for the purposes of this Act.

(3) Where any medical college increases its admission capacity in any course of study or training except with the previous permission of the Central Government in accordance with the provisions of section 10A, no medical qualification granted to any student of such medical college on the basis of the increase in its admission capacity shall be a recognised medical qualification for the purposes of this Act.

Explanation. — For the purposes of this section, the criteria for identifying a student who has been granted a medical qualification on the basis of such increase in the admission capacity shall be such as may be prescribed.

10C. Time for seeking permission for certain existing medical colleges, etc. — (1) If, after the 1st day of June, 1992 and on and before the commencement of the Indian Medical Council (Amendment) Act, 1993 any person has established a medical college or any medical college has opened a new or higher course of study or training or increase the admission capacity, such person or medical college, as the case may be, shall seek, within a period of one year from the commencement of the Indian Medical Council (Amendment) Act, 1993, the permission of the Central Government in accordance with the provisions of section 10A.

(2) If any person or medical college, as the case may be, fails to seek the permission under sub-section (1), the provisions of section 10B shall apply, so far as may be, as if, permission of the Central Government under section 10A has been refused.

3. Amendment of section 33. — In section 33 of the principal Act, after clause (f), the following clauses shall be inserted, namely: —

“(fa) the form of the scheme, the particulars to be given in such scheme, the manner in which the scheme is to be preferred and the fee payable with the scheme under clause (b) of sub-section (2) of section 10A;

(fb) any other factors under clause (g) of sub-section (7) of section 10A;

(fc) the criteria for identifying a student who has been granted a medical qualification referred to in the *Explanation* to sub-section (1) of section 10B.”

4. Repeal and saving. — (1) The Indian Medical Council (Amendment) Ordinance, 1993 is hereby repealed. Ord. 2 of 1993

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

B. R. ATRE,

Joint Secy. to the Govt. of India.

Notification

3-1-87/ELEC-Vol. II

The following Notification No. 56/93(6) dated 23-7-1993 issued by the Election Commission of India, New Delhi is hereby published for general information.

B. S. Subbanna, Law Secretary/Addl. Chief Electoral Officer.

Panaji, 24th August, 1993.

ELECTION COMMISSION OF INDIA

Nirvachan Sadan,
Ashoka Road,
New Delhi - 110001.

Dated the 23rd July, 1993.

Notification

No. 56/93(6) — Whereas, the Election Commission, by its order dated the 14th January, 1993, in dispute relating to the Janata Dal under paragraph 15 of Election Symbols (Reservation and Allotment) Order, 1968 had frozen the symbol ‘Chakra (Wheel)’ reserved for the Janata Dal as a recognised National party, and directed that none of the rival or splinter groups of the party will be entitled to use that symbol, nor will they be permitted to use the name of the party ‘Janata Dal’, until further orders;

And Whereas, the Commission by its said order dated the 14th January, 1993 also directed that the two groups of the Janata Dal headed by S/Shri Ajit Singh and S. R. Bommai respectively shall be recognised as National parties, as a purely adhoc and interim arrangement and until further orders:

And Whereas, the Commission by its further order dated the 17th January, 1993, as a purely adhoc and interim arrangement and until further orders, directed that —

(i) the group of the Janata Dal headed by Shri Ajit Singh be called, and recognised as a National party, under the name ‘Janata Dal(A)’;

(ii) the symbol 'Inkpot and Pen' be reserved for the said 'Janata Dal(A)',

(iii) the group of the Janata Dal headed by Shri S. R. Bommai be called, and recognised as a National party, under the name 'Janata Dal(B)', and

(iv) the symbol 'Cup and Saucer' be reserved for the said 'Janata Dal(B)';

And whereas, the Commission, by its further order dated 22nd July, 1993 has finally decided the said dispute and revoked the above referred interim orders dated 14-1-1993 and 17-1-1993, and has directed as follows:—

"(1) the group represented by Shri S. R. Bommai which was granted interim recognition as Janata Dal (B) is hereby recognised as the Janata Dal, which is a recognised National party;

(2) the said group recognised as Janata Dal will also be entitled to use the symbol 'Chakra (Wheel)' reserved for the Janata Dal, instead of the symbol 'Cup and Saucer' which was earlier reserved for them as an interim measure;

(3) the interim recognition granted to the group represented by Shri Ajit Singh as Janata Dal (A) is hereby withdrawn and the said group will no longer be entitled to use the symbol 'Inkpot and Pen' reserved for it as an interim measure.";

Now, therefore, in pursuance of clauses (a) sub-paragraph (1) of paragraph 17 of the Election Symbols (Reservation and Allotment) Order, 1968, the Election Commission hereby makes the following further amendments to its notification No. 56/92, dated the 7th January, 1993, published as O. N. 2(E) in the Gazette of India, Extraordinary Part II, Section 3(iii), dated the 8th January, 1993, and as amended from time to time, namely:—

In Table I appended to the said notification, for existing entries at serial numbers 5, 5A and 5B, the following entries shall be substituted under columns 1, 2, 3 and 4 respectively:—

"5. Janata Dal Chakra (Wheel) 7, Jantar Mantar Road, New Delhi - 110001."

2. For the removal of any doubt, it is hereby clarified that the group headed by Shri Ajit Singh is, as on date, neither a registered nor a recognised political party for the purposes of the Representation of the People Act, 1951 or the Election Symbols (Reservation and Allotment) Order, 1968.

By Order,

S. K. MENDIRATTA

Secretary to the Election Commission of India.